

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

DAVID E. CALLAHAN,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. CIV-03-0551-F
	)	
SANDRA ATWOOD, et al.,	)	
	)	
Defendants.	)	

**ORDER**

Plaintiff's motion for reconsideration and for relief from judgment, filed June 13, 2006, is before the court. (Doc. no. 294.)<sup>1</sup> Plaintiff appears *pro se*, and his pleadings are liberally construed.

Having carefully reviewed the motion, the motion is denied for several reasons. First, this action is currently on appeal. As a result, this case is closed, and this court has no general, on-going jurisdiction.

Second, although a court has the discretion to reconsider its rulings in certain circumstances, no grounds have been presented here which would justify a different result with respect to any of the challenged rulings.

Third, although the motion seeks relief from the judgment under Rule 60(b)(6) of the Federal Rules of Civil Procedure, plaintiff offers no reasons which would


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<sup>1</sup>The full title of the motion is "Motion Requesting Again, that the [sic] all Motions Stricken and Other Added Material herein, be Reconsidered, and Motion, Requesting all 201, be Accepted as was in the 2nd Amended Complaint. And Exhibit [sic] attached to this Motion, set of Previous Motion be Accepted. There were only 169, Motions in 2nd Amended Complaint. Many of the Stricken Motions had Medical Documents Attatched [sic], Motion for Relief Judgment/in the Above - Case!" Among other things, this title suggests that plaintiff may be concerned about the security of medical documents attached to motions which were previously stricken. Plaintiff is hereby advised that papers filed with stricken motions continue to appear in the permanent record of this action and have not been destroyed.

support relief under that Rule. Rule 60(b) “vests power in courts adequate to enable them to vacate judgments whenever such action is appropriate to accomplish justice.” 12 Moore’s Federal Practice, § 60.48[1] (Matthew Bender 3d ed.) The purpose of Rule 60(b) is to “enable a court to grant a party relief from a judgment in circumstances in which the need for truth outweighs the value of finality in litigation.” *Id.* at § 60.02[2]. Plaintiff has suggested no circumstance indicating a “need for truth.” Moreover, plaintiff’s request is brought under subsection (6) of Rule 60(b). Relief under subsection (6) requires extraordinary circumstances. Ackermann v. United States, 340 U.S. 193, 199 (1950); Moore’s *supra*, at §60.48 [3]. Plaintiff has not shown any circumstance, much less any extraordinary circumstance, which might entitle him to relief under Rule 60(b)(6).

Accordingly, after careful consideration of the motion and the relevant legal authorities, plaintiff’s motion requesting reconsideration and relief from judgment (doc. no. 294) is **DENIED**.

Dated this 15<sup>th</sup> day of June, 2006.

  
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STEPHEN P. FRIOT  
UNITED STATES DISTRICT JUDGE